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17 *Attorneys for Defendant*

18 **UNITED STATES DISTRICT COURT**

19 **NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE DIVISION**

20 ENEIDA AMPARAN, individually and on )  
21 behalf of all others similarly situated, )  
22 Plaintiff,

23 v.

24 PLAZA HOME MORTGAGE, INC. and DOES )  
25 1 through 10 inclusive,

26 Defendants.

27 ) **CASE NO. C-07-04498 - JF**

28 ) Judge: Hon. Jeremy Fogel

1 )  
2 ) **STIPULATION AND [PROPOSED] ORDER**  
3 ) **CONTINUING CASE MANAGEMENT**  
4 ) **CONFERENCE AND ADR COMPLETION**  
5 ) **DATE**

6 ) Complaint Filed: August 29, 2007

7 ) Trial Date: Not set yet

## **STIPULATION**

WHEREAS, on April 1, 2008, counsel for Defendant, Plaza Home Mortgage, Inc., John D. Alessio, Esq. filed a Notice of Firm and Address change;

WHEREAS, on April 7, 2008, counsel for Plaintiff, David M. Arbogast, Esq. and Jeffrey K. Berns, Esq., are in the process of forming a partnership, Arbogast & Berns LLP. Messrs. Arbogast and Berns have submitted the necessary paperwork with the Secretary of the State of California and are awaiting confirmation and registration of their new partnership. Once the registration with the Secretary of State is completed and all other paperwork is completed, Messrs. Arbogast and Berns will be filing the appropriate Notice of Firm changes and Notices of Appearances with the Court. This process and the above referenced Notices are expected to be filed and served by Friday, April 18, 2008.

WHEREAS, David M. Arbogast, Esq. is and has been the attorney primarily responsible for the handling of this case for Plaintiff.

WHEREAS, as a result of counsel's firm changes, referenced above, counsel have agreed, with the Court's permission, to continue the Case Management Conference set for Friday, April 11, 2008 at 10:30 a.m. to June 2, 2008.

WHEREAS, the Last Day for ADR completion is currently set for April 21, 2008.

WHEREAS, Plaintiff intends on naming the subsequent purchasers and/or subsequent assignees of the loans that are the subject of this lawsuit.

WHEREAS, counsel have agreed, with the Court's permission, to extend the Last Day for ADR completion to June 23, 2008, so that such additional parties can participate in the ADR process.

IT IS THEREFORE STIPULATED by and between Plaintiff and Defendant that, should the Court's schedule permit, the April 11, 2008 status conference be continued until June 2, 2008 and that the Last Day for ADR completion be continued to June 23, 2008.

## IT IS SO STIPULATED:

ENEIDA AMPARAN  
By her attorneys,

/s/ Jeffrey K. Berns  
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25 *Attorneys for Plaintiff*

26 DATED: April 9, 2008

27 PLAZA HOME MORTGAGE, INC.  
28 By its attorneys,

29 /s/ John D. Alessio  
30 John D. Alessio (SBN 174900)  
31 **PROCOPIO, CORY, HARGREAVES**  
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37 *Attorneys for Defendants*

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1 [PROPOSED] ORDER  
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3 Pursuant to the Stipulation of counsel and for good cause shown, IT IS HEREBY ORDERED  
4 that:

5 1. The Case Management Conference currently set for April 11, 2008 is continued to  
6 <sup>27</sup>  
7 Friday, June 2, 2008 at 10:30 a.m.;  
8  
9 2. The Last Date for ADR completion currently set for April 21, 2008 is continued to June  
10 23, 2008.

11 **IT IS SO ORDERED**

12 Dated: 4/10/08, 2007



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29 Hon. Jeremy Fogel  
30 District Court Judge